

AFFIDAVIT AND DECLARATION OF PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF MARIN)

I, the undersigned, am employed in the county aforesaid; I am over the age of eighteen years and not a party to the within action.

I am employed by the Law Offices of David Y. Wong, 100 Shoreline Highway, Suite 100B, Mill Valley, California 94941 ("the firm").

On March 21, 2008, I served the within document(s) entitled:

Defendants William Tull, Daniel Gibby and Gibby Novelties' Motion for Summary Judgment, Memorandum of Points and Authorities in Support, Declarations of Marc Greenberg and David Y Wong in support, Affidavit of William Tull, Proposed Order Granting Summary Judgment.

on the interested parties in this action by mailing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, and by causing such envelope to be deposited in the mail for delivery by first class mail, addressed as follows:

Stephen Sommers
870 Market Street, Suite 1142
San Francisco, CA 94102
839-8569
956-0878 fx

I am readily familiar with the firm's practice of collecting and processing correspondence for mailing with the United States Postal Service: it is deposited with the United States Postal Service on that same day in the ordinary course of business. I am aware that on motion of a party served, service is presumed invalid if the postal cancellation date or postal meter date on the envelope is more than one day after the date of deposit for mailing contained in this affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on March 21, 2008, at Mill Valley, California.

DAVID Y. WONG

